

<b>FACSIMILE TRANSMITTAL FORM</b>	Application Number	10/617894	<b>RECEIVED CENTRAL FAX CENTER JUL 15 2005</b>
	Filing Date	July 11, 2003	
	First Named Inventor	Bouic, Phillip J.	
	Art Unit	1771	
	Examiner Name	Hai Vo	
Fax: 703-872-9306	Attorney Docket Number	58670US004	
Total Number of Pages in This Submission: 3			
Date: July 15, 2005		Attorney for Applicant: Pamela L. Stewart	

<b>ENCLOSURES (check all that apply)</b>		
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<input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR § 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts under 35 USC 371 in US Designated/ Elected Office (DO/EO/US)	<input type="checkbox"/> Request for Refund  <input type="checkbox"/> Request for Continued Examination (RCE) Transmittal	
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE CENTRAL FAX CENTER**

First Named Inventor: BOUIC, PHILLIP J.  
Application No.: 10/617894      Group Art Unit: 1771  
Filed: July 11, 2003      Examiner: Hai Vo  
Title: PATTERNED POLYMER ARTICLES

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
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<u>July 15, 2005</u> <u><i>Pamela L. Stewart</i></u>
Date      Signed by: Pamela L. Stewart

Dear Sir:

This is in response to the Office Action mailed June 15, 2005. Claims 1-65 are pending.

Claims 1-65 were restricted under 35 USC § 121 as follows:

- I. Claims 1-22 and 27-43 are said to be drawn to a non-foamed polymeric article, classified in Class 428, subclass 174;
- II. Claims 23-26, 44 and 65 are said to be drawn to a foamed polymeric article, classified in Class 428, subclass 304.4+;
- III. Claims 45-61 are said to be drawn to a method of making an article of polymeric material, classified in Class 264, subclass 405;
- IV. Claims 62-64 are said to be drawn to an apparatus for manufacturing an article of polymeric material, classified in Class 425, subclass 174.

**Election**

In response, Applicants elect Group II, claims 23-26, 44, and 65, with traverse.

Reconsideration and withdrawal or modification of the restriction requirement is respectfully requested as applicants feel that at least as to Groups I & II the claims are so

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interrelated that a search of one group will reveal art to the other. Moreover, the classification of Groups I and II in different subclasses is not sufficient grounds to require restriction.

Were restriction to be effected between the claims in Groups I and II, a separate examination of the claims in Groups I and II would require substantial duplication of work on the part of the U.S. Patent and Trademark Office. Even though some additional consideration would be necessary, the scope of analysis of novelty of all the claims of Groups I and II would have to be as rigorous as when only the claims of Group II were being considered by themselves. Clearly, this duplication of effort would not be warranted where these claims of different categories are so interrelated.

Further, Applicants submit that for restriction to be effected between the claims in Groups I and II, it would place an undue burden by requiring payment of a separate filing fee for examination of the nonelected claims, as well as the added costs associated with prosecuting two applications and maintaining two patents.

#### Conclusion

Applicants have elected Group II. Continued prosecution of this application is respectfully requested.

It is believed that no fee is due; however, in the event a fee is required, please charge the fee to Deposit Account No. 13-3723. The Examiner is invited to contact the undersigned at the indicated telephone number with questions that can be resolved with a simple teleconference.

Respectfully submitted,

July 15, 2005  
Date

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